

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
TACOMA DIVISION

MONET CARTER-MIXON, as Personal  
Representative of the Estate of MANUEL  
ELLIS, and MARCIA CARTER,

Plaintiffs,

v.

CITY OF TACOMA, CHRISTOPHER  
BURBANK, MATTHEW COLLINS,  
MASYIH FORD, TIMOTHY RANKINE,  
ARMANDO FARINAS, RON  
KOMAROVSKY, PIERCE COUNTY, GARY  
SANDERS, and ANTHONY MESSINEO,

Defendants.

No. 3:21-CV-05692-LK

DECLARATION OF MARK CONRAD IN  
SUPPORT OF DEFENDANT RANKINE'S  
MOTION FOR COURT ORDER  
COMPELLING MEDICAL RECORDS

I, Mark Conrad, declare under penalty of perjury under the laws of Washington State as follows:

1. I am one of the attorneys representing Defendant Timothy Rankine.
2. I am over the age of 18, and competent to testify to the matters set forth herein; and make this declaration of my own personal knowledge.
3. Attached hereto as **Exhibit A** is a true and correct copy of the Pierce County Medical Examiner's Postmortem Examination Report.
4. Attached hereto as **Exhibit B** is a true and correct copy of the Pierce County

Prosecutor's Office Declaration for Determination of Probable Cause and associated police reports in support of the criminal complaint charging Manuel Ellis with one count of robbery in the second degree which occurred on or about September 21, 2019.

5. Attached hereto as **Exhibit C** is a true and correct copy of the Search Warrant, signed by Pierce County Superior Court Judge Sabrina Ahrens on June 1, 2020, commanding production of all of Manuel Ellis' Pierce County Alliance mental health records. Exhibit C also contain the records produced by Pierce County Alliance pursuant to said warrant.

6. Attached hereto as **Exhibit D** is a true and correct copy of Pierce County Judge Garold Johnson's Order Establishing Conditions of Release, the minute entry, and order on trial continuance.

7. Attached hereto as **Exhibit E** is a true and correct copy of Pierce County Sheriff Detective Byron Brockway's briefing regarding his investigation into this matter.

8. Attached hereto as **Exhibit F** is a true and correct copy of the Washington State Patrol Interview of Paramedic Jeffery Polo.

9. Attached hereto as **Exhibit G** is a true and correct copy of the Washington State Patrol Criminal Investigation Division Report of Investigation.

10. Attached hereto as **Exhibit H** is a true and correct copy of Attorney Conrad's Notice of Intent to Subpoena, letters to providers, and copies of the subpoenas. After waiting the prescribed period of time and having received no motion to quash or motion for protection, our office served the subpoenas.

11. Attached hereto as **Exhibit I** is a true and correct copy of objections to the subpoenas received from DSHS, Pierce County Sheriff's Department - Corrections Bureau, Greater Lakes Mental Healthcare, Comprehensive Life Resources, and SeaMar.

1           12.     Based on the records reviewed, Mr. Ellis was also received drug and/or mental  
2 health treatment from Sundown M. Ranch, Fairfax Hospital and Lakeside Milam in Washington  
3 State. I have contacted each of these providers and been informed that they will not comply with  
4 an attorney signed subpoena and only produce records pursuant to a court order or valid  
5 authorization.

6           13.     I emailed with plaintiff's counsel on April 29, 2022, May 23, 2022, May 27, 2022,  
7 and May 31, 2022, attempting to get an authorization/stipulation signed for release of Ellis'  
8 medical and mental health records. In those communications, I also assured counsel that we would  
9 provide bates stamped copies of any records received.

10           I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE  
11 OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

12                   DATED this 14<sup>th</sup> day of July 2022 in Seattle, Washington.

13                               FREY BUCK, P.S.

14                               By: /s/ Mark Conrad

15   Mark Conrad, WSBA #48135  
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**CERTIFICATE OF SERVICE**

I hereby certify that on July 14, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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8                   DATED this 14<sup>th</sup> day of July 2022 at Lynnwood, Washington.

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10                   \_\_\_\_\_  
11                   Stephanie Johnson